

NEW CORRESPONDENCE IN FAVOR

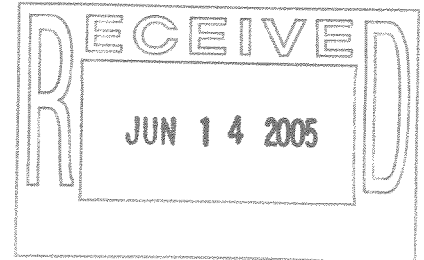


LAINER INVESTMENTS

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June 13, 2005

Regional Planning Commission
320 West Temple Street
Room #1390
Los Angeles, CA 90012



RE: Case No. 98-062

Dear Commissioners,

I support Heschel West Day School's application for a Conditional Use Permit to build its permanent campus in the unincorporated area of Los Angeles adjacent to the City of Agoura Hills.

As an active member of the Los Angeles Jewish Community, who has actively supported, and even founded Jewish educational institutions, I can testify that by allowing this school to be built the County will be serving well a substantial part of the population surrounding this location. A quality institution such as Heschel West will raise the standard of living in this geographical area and thus make it more attractive for all its residents.

Most people who have analyzed this project conclude that it is a positive step for the entire population. It is unfortunate that there is a small minority that is opposed. I encourage the Regional Planning Commission to approve Heschel West Day School's request.

Cordially yours,

Mark Lainer

cc: Zev Yaroslavsky, Los Angeles County Board of Supervisors
(Calabasas District Office, 26500 Agoura Road, #206, Calabasas, CA 91302)

NEW CORRESPONDENCE OPPOSED

Mary Wiesbrock, Clinical Lab Scientist

Comments / Records Heschel / June 15, 2005 6 pages
SAVE Open Space / Santa Monica MTS

page 1

Radioactivity in Calabassas Landfill

radionuclides -
don't attenuate for
thousands of years

by
Daniel Hirsch¹

Landfill toxic portions
closed because of permeability

Introduction

In 2002, the U.S. Department of Energy (DOE) disclosed that wastes with residual radioactive contamination from the nearby Santa Susana Field Laboratory (SSFL) operated for DOE by the Rocketdyne Division of Boeing has been disposed of at the Calabassas municipal landfills.² Partially in response to this disclosure, the Regional Water Quality Control Board directed that testing be conducted for radioactivity in leachate and groundwater at the landfill site. Groundwater samples were to be taken both from wells upgradient and downgradient of the landfill to provide additional information as to whether the landfill was the source of any detected radioactivity. Samples were primarily measured for gross alpha radioactivity, gross beta radioactivity, tritium, isotopic uranium, radium-226, radium-228, and strontium-90, and compared with Maximum Concentration Levels (MCLs) established by state and federal regulation.³

Results

Sampling results were reported in January 2003.⁴ Four of the five "downgradient" monitoring wells" exceeded the gross alpha MCL of 15 picoCuries per Liter (pCi/L), with levels as high as 38 pCi/L. Three of four of these wells also exceeded the MCL of 20 pCi/L for total uranium, reaching a high of 56.7.⁵

Leachate samples also generally exceeded MCLs and the levels found in the monitoring wells. Three of four leachate samples measured for gross alpha radioactivity exceeded the 15 pCi/L MCL, reaching as high as 91.3 pCi/L. Three samples also exceeded the 50 pCi/L gross beta MCL, recorded up to 97 pCi/L. Total uranium measured in the leachate samples also exceeded the 20 pCi/L MCL, reaching 134.7 pCi/L.

¹ President, Committee to Bridge the Gap; former Director, Stevenson Program on Nuclear Policy, University of California at Santa Cruz.
² Letter from then-DOE Secretary Spencer Abraham to U.S. Senator Barbara Boxer, 28 June 2002. Wastes with radioactivity indicative of contamination from Rocketdyne activities but below controversial "release limits" were sent to regular landfills such as Calabassas rather than disposed of at licensed radioactive waste disposal facilities.
³ The adequacy of the MCLs for gross alpha and gross beta radioactivity have been called into question by the California Office of Environmental Health Hazard Assessment, indicating that these MCLs could result in radioactivity concentrations well above generally accepted risk levels. See "Gross Alpha and Gross Beta Screening Levels for Chemicals in Drinking Water" by Robert A. Howd, Ph.D., Chief, OEHHA Water Toxicology Unit, 17 December 2003.
⁴ "Radioactivity Sampling Report for Calabassas Landfill, Agoura, California" by William Neal, GeoChem Applications, and David Todd, Todd Engineers.
⁵ One of the wells was apparently not sampled for uranium.

Thomson N 15 N 50 N 20
↑ A 91 B 97 C 125 Leachate

Discussion

While not dispositive of the issue, the test results suggest radioactivity disposed of at the landfill may be the source of the elevated radioactivity found in monitoring wells at the site and in leachate. The gross alpha and total uranium concentrations in site groundwater are significantly elevated. Gross alpha, gross beta, and total uranium concentration in leachate are also significantly elevated, and at levels generally exceeding the concentrations found in groundwater. This would suggest contamination in the landfill may be leaking into the groundwater.⁶

The consultants who performed the testing for the operator of the landfill argued that the elevated radioactivity levels may be due to unusually high natural radioactivity in the area of the landfill, although they present no evidence that natural radioactivity at the Calabasas location is in fact unusually high. Instead, they point to the fact that the radioactivity levels found in the "downgradient monitoring wells" were generally lower than those found in the "background wells." Based on the available data, this argument is not convincing.

As indicated above, the Regional Board directed that samples be taken from downgradient and upgradient wells, the latter to serve as "background" locations. As indicated in the consultants' report, "Ideally, background wells located upgradient of refuse disposal area would provide information on regional background conditions." However, the consultants chose not to do this at Calabasas. *All wells monitored were downgradient of the landfill.*⁷ Thus downgradient wells were compared with downgradient wells, and no genuine "background" or "control" wells were employed to attempt to ascertain the natural radioactivity levels that might exist unaffected by the landfill itself.

One should also note that water samples were apparently filtered before monitoring. As the US EPA has noted, if this is done, the radioactivity collected in the filter must be added to the radioactivity found in the filtered water, or the results will otherwise understate the true radioactivity levels.⁸

Conclusion

Available data suggest that disposal of radioactive wastes in the Calabasas Landfill may be linked to the elevated radioactivity measured in the leachate and groundwater at the site.

⁶ If natural radioactivity in the local geologic formation were the source for the surprisingly high concentrations in groundwater, the levels in the leachate in the landfill itself would presumably be lower than that found in the groundwater, rather than the reverse as was found at Calabasas.

⁷ The consultants designated as "background" wells those that were downgradient of lined landfill units. These are, of course, not background wells, because liners routinely fail and groundwater gets contaminated by leachate leaking from them.

⁸ See "Water Sampling and Analysis: EPA Methods and Guidance," 16 March 2005 by Gregg Dempsey, USEPA Radiation and Indoor Environments National Laboratory, Las Vegas.

9 Feb

PRELIMINARY SUMMARY OF
RADIOACTIVITY IN WATER SAMPLING

Regional Board	Landfill Name	Status/Waste Classification	Liner Type(s)	Upgradient	Water Sample Exceeds MCL ¹	Leachate
					Downgradient	
1	Central Landfill, Petaluma	Active (III)	Composite/Clay			B (80), T (34,000)
2	Ox Mountain Landfill	Active (III)	Composite		B (21)	B (60), T (51,000)
2	Vasco Road Landfill	Active (III)	Composite/Unlined			B (140)
2	Newby Island Landfill	Active (III)	Composite/Clay/Unlined	A (22), B (400), U (45)		B (270)
2	Redwood Landfill	Active (III)	Unlined/Clay			
3	Cold Canyon Landfill	Active (III)	Composite/Unlined			B (450)
4	Bradley Landfill	Active (III)	Composite/Clay/Unlined			T (43,000)
4	Poente Hills Landfill	Active (III)	Composite/Unlined			A (91), B (97), U (135)
4	Calabasas Landfill	Active (III)	Composite/Clay/Unlined	A (60), U (99)	A (35), U (37)	T (38,000)
4	Sunshine Canyon Landfill	Active (III)	Composite/Unlined			A (25)
5(S)	Chemical Waste Management, Kenner Hills	Active (I)	Composite			
5(S)	American Avenue Landfill	Active (III)	Composite/Unlined	A (150), U (175)	A (205), B (58), U (274)	T (41,000)
5(R)	Anderson, Solid Waste Landfill	Active (III)	Composite/Unlined			
5(S)	Altamont Sanitary Landfill	Active (III)	Composite/Clay			
5(S)	Kiefer Road Class III Landfill	Active (III)	Composite/Clay			B (102)
6(SLT)	Eastern Regional Landfill	Closed (III)	Unlined (LCRS)	T (55,000)		
6(V)	Barslow Landfill	Active (III)	Unlined			
6(V)	Boron Landfill	Active (III)	Unlined	A (19)		
7	Calexico Landfill	Active (III)	Unlined			T (23,000)
8	El Sobrante Landfill	Active (III)	Composite/Unlined			
8	Frank R. Bowerman Landfill	Active (III)	Composite/Unlined		A (18)	T (64,000)**
8	Milliken Landfill	Active (III)	Unlined			T (40,000)
8	Olinda Alameda Landfill	Active (III)	Composite/Unlined	A (219)	A (32), U (28)	
8	Badlands	Active (III)	Composite/Clay/Unlined			
8	Double Butte Landfill	Closed (III)	Unlined		A (288), U (257)	
8	Lamb Canyon Landfill	Active (III)	Composite/Unlined			
8	Mead Valley Landfill	Closed (III)	Unlined		A (291), U (143)	
8	Higginrove Landfill	Active (III)	Unlined		A (18)	T (513,000)**
8	Colon Landfill	Active (III)	Unlined			
8	Mid-Valley Landfill	Active (III)	Unlined			
8	San Timoteo Landfill	Active (III)	Composite/Unlined			
8	California Street Landfill	Active (III)	Unlined			
8	Corona Landfill	Closed (III)	Unlined			

Save Open Space

P.O. Box 1284

Agoura Hills, CA 91370

Re: Heschel school site

Los Angeles Regional Planning Commission
Dear Agoura Hills City Council:

Save Open Space/Santa Monica Mountains (SOS) is a regional group representing hundreds of Los Angeles and Ventura County residents.

SOS opposes any development at this site near the Class I (from 1965 to 1980 unlined, western border of the Calabasas Landfill). Some "422,000 tons of liquid wastes ranging from common crankcase oil to dangerous nitric acids and cyanide" (Los Angeles Times, 11-23-84) were disposed off at the Calabasas Landfill.

Please oppose the proposed site for 750 school children and teachers (sensitive receptors) near the hazardous Calabasas Landfill.

years - asking for this.

The EIR is inadequate in the Human Health section. Please request an up-to-date Health Risk Assessment because an earlier HRA on the same property showed many potential chemicals of concern. Enclosed are the 1989, maps of toxic soil gas concentration contours of toluene and benzene found on the property. (Clement Associates, 1990 HRA for Liberty Canyon Property). Some of the health effects from benzene include: leukemias, Hodgkins Disease, lymphoma, multiple myeloma, and aplastic anemia.

NPS → prescribed burn - smelted gas.

The EIR is also inadequate in the Air Quality section. This section does not analyze the effect on the school children and teachers of the landfill dust, landfill gases not destroyed by the flare system, possible foundation soil gas impacts, and air pollutants from approximately 200,000 cars a day which travel on the Ventura 101.

Thank you for your kind attention.

Mary E. Wiesbrock

Mary E. Wiesbrock, Chair

(4) Why would you not require a Health Risk Assessment of this property? With time, conditions and migrations of toxics change.

June 15 2005

REBUTTAL: Planner on safety of Calabasas landfill
(1) monitoring stations have in fact been eliminated.
(2) Barriers do not cover majority of western edge of unlined hazardous section "Dirt" (uncontaminated)
(3) barriers only 30ft deep. on barriers were 80ft deep.

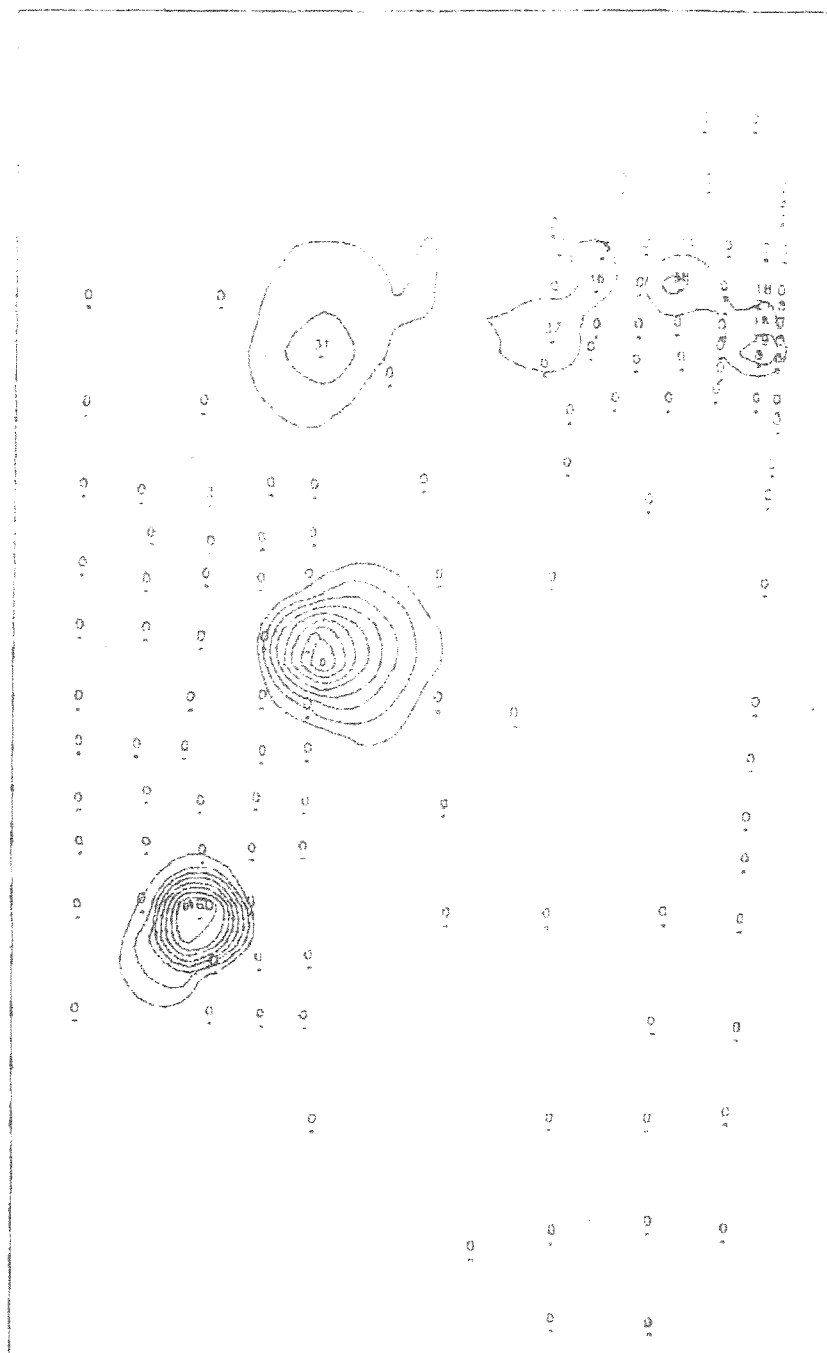


FIGURE 4-7
 TOLUENE CONCENTRATION CONTOURS
 BASED ON SOIL GAS SURVEY RESULTS

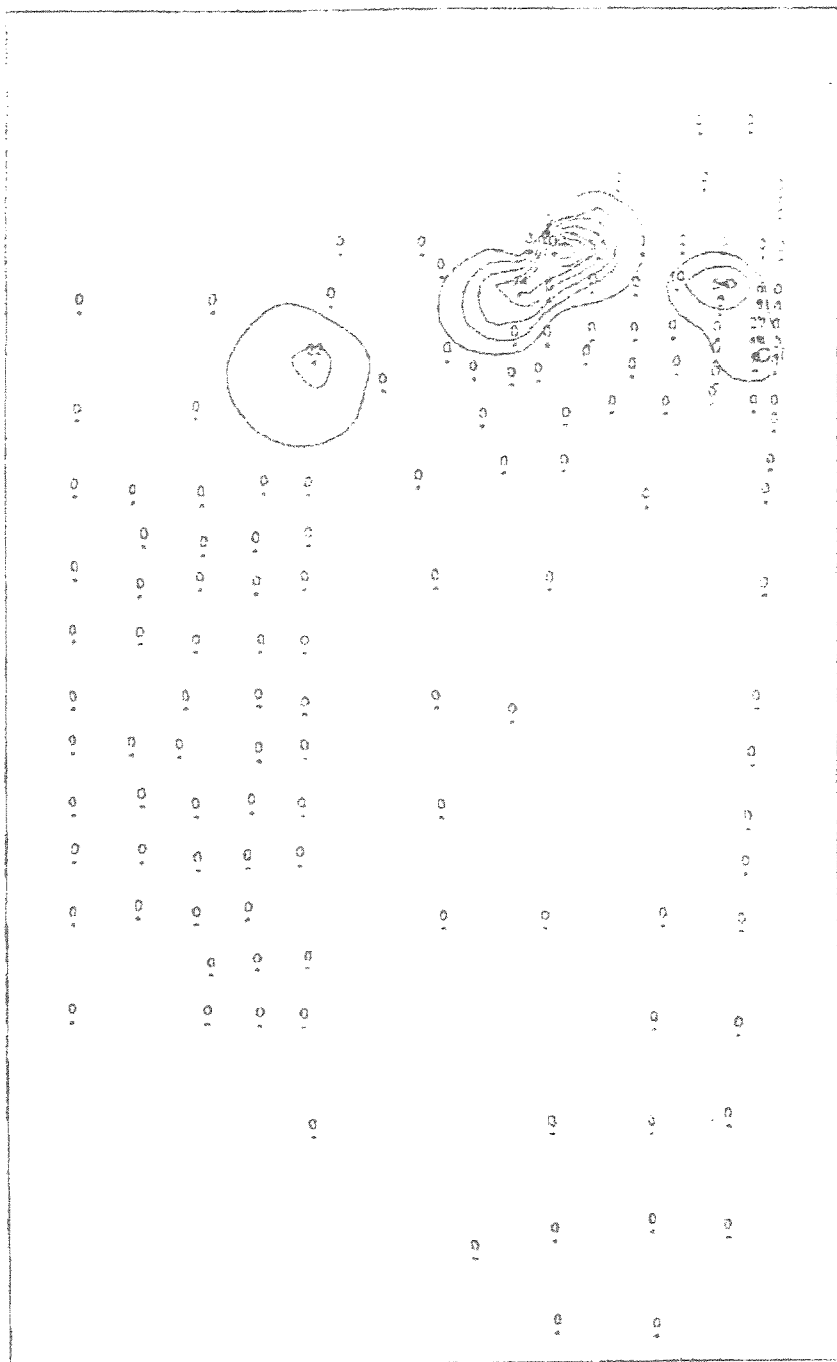


FIGURE 4-6
BENZENE CONCENTRATION CONTOURS
BASED ON SOIL GAS SURVEY RESULTS
Liberty Canyon Property

Good morning Commissioners - My name is Kirk Allegro and for almost 20 years I have lived at 28312 Driver Avenue in Agoura Hills....I will speak only of two issues:

The Malibu fire erupted just north of A.E. Wright Middle School where my children were attending.....Fast moving flames burned across the street from the school and *my natural reaction* was to drive to the school to retrieve my kids.....*And so did hundreds of other parents* -- and we caused a street gridlock that strangled the entire area. *This parent vehicle congestion was a so bad*.....County Fire trucks were delayed from getting in front of the fast moving fire which swept to the Pacific Ocean.

With three quarters of Project students commuting from outside the immediate area, their parents will react just like hundreds of us A.E. Wright parents.....and no matter what emergency event planning is put into play, reality takes overand parents will urgently converge on the Project site to evacuate their kids creating dangerous area gridlock.

////// ////

County Fire has made technical comments to the EIR which only address factors within the physical boundaries and the construction components of the Project facilities....and not of predicable realities that will cause traffic gridlock around the Project area upon occurrence of area wildfire.....or emergency situations.

I understand County Fire says it's not their responsibility to comment on any emergency oriented traffic impacts -- because that must be officially commented on by County Public Works.....And County Public Works role is to officially comment on routine traffic circulation impacts, but it does not comment on real-world emergency situations such as firestorms -- because that is the responsibility County Fire.

So Commissioners, it appears your Board must direct both agencies to stop deflecting fiduciary duties of Los Angeles County - for this predicable, critical matter of public safety.

////// ////

My second issue has been un-addressed by the EIR and by Staff. It is the serious matter of security to protect lives and property of this Project.....A recently submitted letter to the Regional Planning Commissioners has supporting published attachments specifying *that non-profit day-school and facilities such as the Project*, require extraordinary security design, construction and supervision diligence of all parties entering the property.....Based upon the 9/11 Commission Report, this issue has been appropriated significant funds by the United States Congress to be made available to non-profit organizations by way of the Department of Homeland Security.

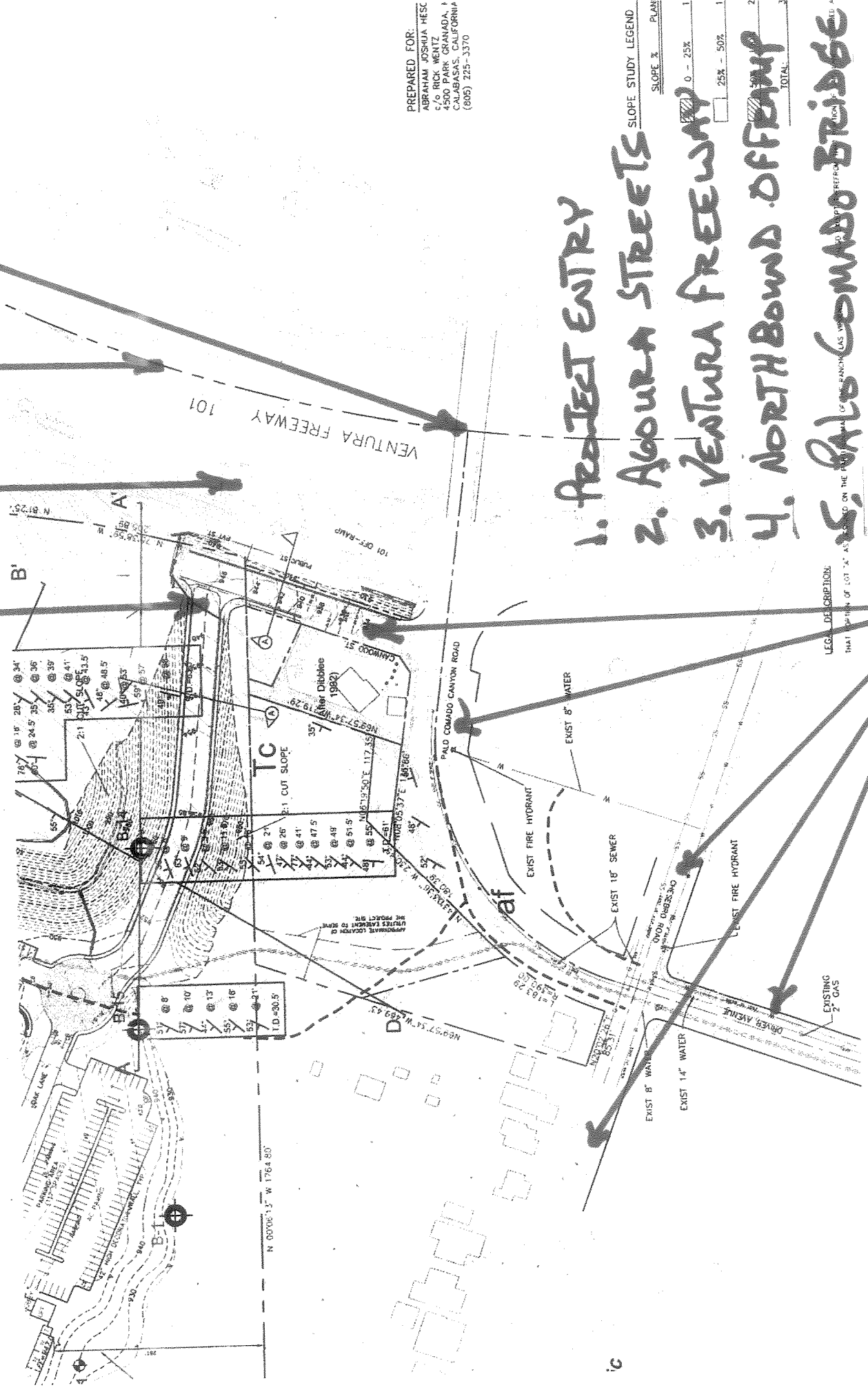
////// ////

One relevant Project problem will be the approval of all vehicles accessing the property only by way of its Main Entrance.....This daily routine vehicle approval process naturally slows inbound traffic and thereupon, cars will be lined up extending back into Agoura Hills streets and preventing vehicles to exit the Ventura Freeway north bound exit at Cheseboro Canyon. This non-stated security related traffic gridlock impact requires further EIR study to prevent area traffic gridlock resulting from the single entrance to the Project location, even on routine days without fire or other area emergencies. Please review the attached map.

Therefore Commissioners, I request you direct Staff to cause County Fire and Public Works to together and coordinate with the City of Agoura Hills on these un-addressed real-world issues.....and cause EIR 98-062 to specify appropriate mitigations for your further consideration.....Thank you very much for your attention.

Submitted June 15, 2005

1
4
3
5



PREPARED FOR:
ABRAHAM JOSHUA HESC
C/O RICK WENTZ
3500 RICK WENTZ
CULVER CITY, CALIFORNIA
(805) 225-3370

1. PROJECT ENTRY
2. AGOURA STREETS
3. VENTURA FREEWAY
4. NORTH BOUND OFFRAMP
5. PALO COMADO BRIDGE

SLOPE STUDY LEGEND

SLOPE %	PLAN
0 - 25%	1
25% - 50%	2
TOTAL	3

LEGAL DESCRIPTION:
THAT PORTION OF LOT "A" AS SHOWN ON THE PLAT OF THE PALO COMADO BRIDGE PROJECT, A

2

Kirk Allegro

---Look 1/2 way down to see about AE Wright evacuation to Agoura High School---

Paper: Los Angeles Times

Title: In Hot Pursuit

Author: MARTHA L. WILLMAN DAVID COLKERANDREW BLANKSTEIN

Date: October 23, 1996 Section: Metro Page: B-1

DeeAnn Nelson peered intently Tuesday at the goop-stained fire patrol truck rumbling down a blackened rustic trail off a Calabasas peak. Suddenly, in a flash of recognition, she hollered, "That's my Mac! That's my hero!"

At the wheel was Los Angeles County Firefighter Tom McGuire. The two had met the day before, after Nelson, 50, narrowly escaped the raging brush fire by riding bareback on a horse, dodging 12-foot-high flames. McGuire, 43, was alone on a peak when he heard Nelson's cries for help.

The emotional bonding of reunited strangers matched the mood throughout the rugged mountain region Tuesday as day broke on a blue-gray shroud of low-lying smoke in Las Virgenes Canyon. Residents shuffled through smoldering embers, surveying damage that crept within inches of hundreds of homes. A few--the most unlucky--picked through the rubble of what had been their homes. Some shared bales of hay with horse-keeping neighbors.

One man, whose home burned to the ground, spent time Tuesday fetching his yellow Rolls Royce, saved by a friend. "We're all in a kind of state of shock," said another.

And so it went along roads in the once-tranquil rural area, home to a conglomeration of residents from pioneer homesteaders to the nouveau riche. As devastating brush fires continued to rage in Malibu and elsewhere, threatening lives and homes, Calabasas residents on Tuesday were on the mend.

The damage left behind by Monday's blaze was two homes, one mobile home and two caretaker trailers completely destroyed, along with uncounted sheds, outbuildings, vehicles and farm equipment. Plastic-board fencing lining the roads was contorted and twisted by the heat. Smoke still rose from stacks of smoldering hay, straw horse bedding and wood shavings.

Still, many counted themselves lucky.

At the end of rugged Stokes Canyon Road, Karen and Daniel Miller returned Tuesday morning to the house that Karen's grandfather built in 1945. Flames still danced from what had been a stack of books in the den. Their children, Christine, 14, and Vincent, 12, unsuccessfully searched for remnants of their CD and other collections.

"The fire came so fast, there wasn't time to save anything," said Christine, who had found the family's dogs but was still worried about the five cats.

The Millers, both postal workers, had no insurance on the house. It was built in segments over the years, largely without permits, they said. They lost heirlooms of table china, African spears and other family mementos. Several vehicles parked on the property were destroyed.

"At least everybody is healthy," Daniel Miller said.

Nelson, who lives in a trailer on the 60-acre ranch with the Millers and their relatives, said she was the last to escape the compound. She jumped onto her 13-year-old mare and, seeing the only road out blocked by flames, turned and raced back into the mountains, with her 8-year-old gelding following them on his own.

"I thought I never was going to make it," Nelson said. "The noise was crackling and popping all around us. My hair and the horses' coats were getting singed. But my mare just kept going. She saved my life."

Lloyd Smith, 56, a relative of the Millers who also lives on the grounds, said he was away when the fire started but managed to get through fire lines back to the ranch after everyone else left. He said no one, including firefighters, was around when he reached the ranch just in time to see the propane tank next to the house explode.

"It was a great big whooshing sound," said Smith, who described running for a fire hose attached to a nearby hydrant. But he said he couldn't get the hose to work and watched as the house finally ignited, then burned to the ground.

At the other end of Stokes Canyon, on a hill with a commanding view of the Santa Monica Mountains, lay the ashes of a mobile home where Mark and Juana Gardiel lived for 14 years. The couple worked for the owners of the 300-acre Malibu Valley Farm, Mark as manager of the vast horse ranch and Juana as a secretary in the firm's engineering office.

Although their home was destroyed, Mark Gardiel and his crew of workers were busy Tuesday putting out fires still smoldering in the stacks of hay, straw bedding and wood shavings outside horse stalls.

Two other caretaker trailers, just a short distance from an evacuated horse barn, also were lost.

Only stone and brick posts, along with an elaborate fireplace and waterfall, remained of a futuristic-style house at 15750 Mulholland Highway. Built in 1971, the house was owned by James W. Kirk of West Palm Beach, Fla., but had been rented for about a year by Oliver Bendig, an auto exporter.

Bendig said he was out shopping with a friend on Monday when he returned home to find the fire fast approaching. "We rushed in and got a few things," he said. "There was not much time. I wanted to get out of there."

He said his friend drove a Rolls Royce to a safer place as Bendig got his two horses out of the small corral at the rear of the house. Bendig rode one and led the other out to Mulholland Highway, where he spotted a few people. "I asked a woman if she knew how to ride. She said 'yes,' so she rode the other horse for me."

Bendig got the horses to safety and his Rolls was untouched. But his Dodge pickup truck, parked outside the house, was in charred ruins and few items in the collapsed house were even recognizable on Tuesday. "I lost everything," Bendig said.

At Arthur E. Wright Middle School in Calabasas, meanwhile, life was returning to normal. On Monday, flames scorched the hills along Las Virgenes Road in front of the campus and forced school administrators to quickly evacuate students to nearby Agoura Hills High School.

"By fifth period, the whole school was covered with smoke and ashes were getting in people's eyes," said Alana Allegro, 12, of Agoura.

"It looked like a mosh pit at the phones," according to Lauren Kriddle, 13.

"Kids were fighting to call their parents."

"Some kids were crying," added Sam Havens, a seventh-grader from Calabasas.

But for the most part, according to children and parents, the evacuation Monday came off without a hitch.

The children were fine, said Anita Kaller of Calabasas. But her son feared that she wouldn't be able to handle the stress, telling her: "I was worried about you because I thought you would panic."

Author: MARTHA L. WILLMAN DAVID COLKERANDREW BLANKSTEIN

Section: Metro Page: B-1

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Laila A. Biscaldi
5528 Colodny Dr.
Agoura Hills, CA 91301

June 13, 2005

Daryl Koutnik
Head, Impact Analysis
Los Angeles County Department of Regional Planning
320 W. Temple St., Room 1348
Los Angeles, CA 90012

Re: Heschel West Day School Proposal 98-062

Dear Mr. Koutnik;

I am enclosing a copy of the letter my family submitted in March of 2003 stating our opposition to the Heschel project. We oppose it as much now as we did then.

I have lived in Agoura Hills for 28 years. My sister and I attended Agoura High.

I have been active in our schools and community, and as a leader in 4-H and Girl Scouts.

I am very proud to be part of this great community and very proud to have my children attend Las Virgenes Schools. My expectations for my children's academic and community education is met everyday, and equals, if not exceeds, those of Heschel parents. The implication of Heschel proponents being that our kids are less deserving because they are not Heschel students. (Julie Simon at AH City Council Meeting 6/8/05).

Heschel supporters claim their school will relieve overcrowding in OUR school district. Since over 75 percent of Heschel's students live outside the LVUSD, they will relieve us of NOTHING! It is a moot point.

However, Heschel's addition of 750 more students in our small community would increase the student to household ratio to 7! Far more than a fair and reasonable share for a community to support. It is 17 times greater than any other area in our city. Our children deserve better!

My daughter graduated Agoura High last year. Among her awards was a 4-H Scholarship for, among other things, leadership skills and community service.

My son is a freshman at Agoura High, active with friends, sports, and music, and loving every minute of it.

My youngest son is autistic and in a regular 2nd grade classroom at Sumac Elementary.

With the help of the Special Education Resource team in his weak areas, my son meets and often exceeds his IEP goals, and keeps up with regular classwork. Thanks to the early intervention of Buttercup Preschool, also an LVUSD program, my son was one of three students, out of twenty, entering regular kindergarten with reading skills.

I understand Heschel has no such program and that it befalls the school district to help these exceptional children.

All the programs of the LVUSD are dedicated toward enhancing student achievement and ensuring each school values its students and provides the highest quality education possible. They enable students to reach maximum potential as responsible citizens who will enhance the community and society. 98% of Agoura High Grads move on to higher education.

Parent organized programs such as The Great Race of Agoura, sponsored by Dole; as well as heavy voter turnout for school bond measures and special taxes, such as Measure E, have prevented significant cuts to our school programs.

Heschel West already exists. They already have their school and their programs, just not in the location or the enormity they DESIRE. To deny their CUP takes NOTHING AWAY from them. On the other hand, to grant their CUP threatens public safety, puts an economic burden on our city, and significantly impairs our lifestyle. Next year my son will be old enough to enter the horse project of 4-H, the equivalent of Therapeutic Riding for him. PLEASE do not take away his right to travel safely with his horse to and from these lessons.

Heschel supporters refer to us as a special interest group. That is rather the pot calling the kettle black! Our goal is to protect and preserve an environment, one that draws many people daily from outside our community to share and enjoy. We represent others who love this area but are unaware of Heschel's proposed destruction of this environment. We are defending what it is we moved here for, and what other people come to enjoy.

At \$15,000.00 a year tuition for preschool and the lower grades, most people either can't afford or choose not to pay for that school. In my view, that makes Heschel the special interest group!

We have been accused of a smear campaign and of intimidating Heschel students through scare tactics. (Ron Gutnick, AH City Council Meeting 6/8/05). This is a SLANDEROUS statement. There has been no such behavior by any of the projects' opponents. However, it is perhaps fabricated by proponents to influence the County in their favor. It's an old political ruse.

Heschel will not be a good neighbor. They have made it abundantly clear that they feel that their school is more deserving than our entire community. Their message to their children, therefore, is this -- take whatever you want at the expense of the greater good of

the community and the expense of others. This is not a value based education. Nor is it community service. Actions speak louder than words.

Sincerely,

A handwritten signature in dark ink, appearing to read 'L. Biscaldi', with a long horizontal flourish extending to the left.

Laila A. Biscaldi,
Concerned Parent and Homeowner

CC: Supervisor Zev Yaroslavsky
Agoura Hills City Manager, Greg Ramirez
Old Agoura Homeowners' Assn.

enclosure

Dario and Laila Biscaldi
5528 Colodny Dr.
Agoura Hills, CA 91301

March 13, 2003

Daryl Koutnik
Head, Impact Analysis
Los Angeles County Department of Regional Planning
320 W. Temple St., Room 1348
Los Angeles, CA 90012

Re: Heschel West Day School Proposal 98-062

Dear Mr. Koutnik;

My family is adamantly opposed to this project. PERIOD!!!

It is an intolerable project in it's proposed location! It poses a horrific threat to public safety, natural wildlife, and our Old Agoura lifestyle. It will FOREVER IMPACT THE TRAFFIC AND AIR QUALITY of a major area of Agoura Hills 24/7. It is the beginning of a big, ugly, dirty snowball. It will rob an ENTIRE COMMUNITY of it's lifestyle. It does not belong here. PERIOD!!!

We would have to write you a book to express the extent of our opposition. Instead, we'll focus on just a few points:

1. The Long Term Effects Beginning Immediately:

Construction traffic, air and noise pollution, dust, and the displacement of wildlife to name a few. To this we add student drop-off and pick-up traffic, Heschel employee traffic, and "Special Event" traffic and parking. All this in dangerously close proximity to other schools, equestrian and livestock zoned properties, and trails used by hikers, bikers, and equestrians. This is just on the weekdays.

We feel that the Heschel people are not honestly disclosing their long term intentions. High school size athletic fields suggest a high school in the future plans, adding even more congestion to the traffic and more "Special Events". Once they add a high school, student drivers will further add to dangerous and rushed lunchtime traffic on all routes on and between the Chesebro Rd. and Kanan Rd. overpasses.

Weeknights and weekend evenings will not spare us. School buildings will mar the view of the hills and their lights will ruin the night sky. Athletic fields mean athletic events AFTER SCHOOL. Drama classes mean EVENING THEATRE EVENTS. ETC., ETC., ETC!!!

On the weekends, Chesebro Park is heavily populated with both residents and non-residents seeking to enjoy their hiking, biking, and/or equestrian activities. Heschel "Special Events" will eventually consume every weekend, and their traffic and parking will add dangerously to the congestion, robbing local residents of their right to enjoy the peace and quiet of their homes.

This is a private school. Private schools must constantly fund their programs from monies other than tuitions. The combination of ever increasing enrollment, "Special Events", student fund raisers, weekend athletic field use, athletic field lights, loudspeakers, and TEN YEARS OF CONSTRUCTION will destroy our lifestyle and make our neighborhood DANGEROUS FOR OUR CHILDREN. The pollution will jeopardize our health. It will kill our wildlife and sicken our horses, livestock, and other pets. It will block our view of the sky.

2. Emergency Situations:

Fire is an annual threat. It would most likely necessitate a community wide evacuation of this area. In addition to emergency vehicles coming in, residents have to leave. As if that's not chaotic enough, horse trailers will be coming in and out of the area to evacuate large animals. There are more horses than there is trailer space. We would have to make two trips to get our horses out with our trailer, and that's after we've made the necessary trips to evacuate our family first. Not all horse owners have trailers. They'll rely on volunteers from unthreatened areas or neighbors who've helped themselves first. Add to this the human element of panic. Fires move very quickly. Even an organized evacuation may not be entirely successful. This scenario is without the existence of the Heschel project.

3. Incompatible Interests:

People have allergies. Flies go to trash. We have very few flies in our horse area because of our fly control measures. There are more flies in the outdoor household trash than in our corral. Heschel will have flies in their trash. I fear they will blame it on our animals and how we keep them. Many Heschel families may resent the proximity of their school to our various animals. These people will start a campaign to rid the area of horses and other livestock.

As we prepare to end this letter we want you to know that we have lived in Old Agoura for 26 years. Our family lives here because of it's equestrian lifestyle, open space, good schools, proximity to employment, clean environment, youth activities, and not least, low crime rate. Our home is located with most of the windows facing the proposed project site. Our three children, ages 6, 13, and 17, attend the public schools here. We intend to eventually retire in this home.

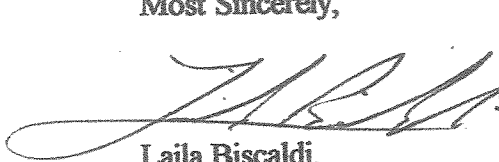
We resent, regardless of size, everything about this project at this location. We resent that

this is even an issue! We resent Heschel proponents for forcing a fight over a project that Old Agoura and Agoura Hills generally do not want. We resent that the majority of its proponents are people who's daily lifestyle will not be affected by it's location BECAUSE THEY DO NOT LIVE HERE. We resent their selfishness, and feel they will be insatiable in their demands in the long run and accept no boundries or limitations.

We understand the need of Heschel to find a suitable location for it's school. But location is not the point that determines the quality of the education. It is programs and teachers. My family implores Heschel to look for another site, and we implore you to deny their request for a Conditional Use Permit at this location. Neither side of this issue will be tolerant of the other. We cannot live harmoniously. The Old Agoura residents and their lifestyle are here to stay. Heschel needs to be big about this and bow out. The Goodwill they create among Agoura Hills residents will be immeasurable if they do.

Thank you for considering our position by reading this letter.

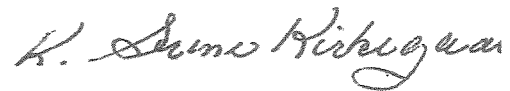
Most Sincerely,



Laila Biscaldi,
Homeowner



Dario Biscaldi
Homeowner



K. Irene Kirkegaard,
Homeowner

CC: Supervisor Zev Yaroslavsky
Agoura Hills City Manager, Dave Adams
Old Agoura Homeowners' Assn.
Agoura Hills Action Network

DAVID B. CARLIN
28264 DRIVER AVENUE
AGOURA HILLS, CALIFORNIA 91301
818-706-3788

JUNE 14, 2005

FOR COMMISSIONERS OF THE REGIONAL PLANNING
LOS ANGELES COUNTY
320 WEST TEMPLE STREET
LOS ANGELES, CA. 90012
FAX: 213-636-0434 OR 213-974-6384

REGARDING THE HESCHEL SCHOOL WEST PROJECT
COUNTY PROJECT NUMBER 98-062

DEAR PLANNING COMMISSIONERS,

MY NAME IS DAVID CARLIN AND FOR OVER TEN YEARS, I HAVE LIVED AT 28264 DRIVER AVENUE IN OLD AGOURA. SINCE I MOVED INTO MY HOME, THERE HAS BEEN A MAJOR INCREASE IN THE AMOUNT OF TRAFFIC ON DRIVER AVENUE.

JUST UNDER TWO MONTHS AGO, MY DOG SUFFERED A LIFE THREATENING SEIZURE AT 7 AM. I CALLED MY VETERINARIAN AT HIS HOME AND HE DIRECTED ME TO IMMEDIATELY BRING THE DOG TO THE COUNTRY HILLS PET HOSPITAL LOCATED IN THE WHIZZINS SHOPPING CENTER ON THE OTHER SIDE OF THE VENTURA FREEWAY. THE DISTANCE IS LESS THEN TWO MILES FROM MY HOUSE. I PROMPLY LOADED THE DOG INTO MY TRUCK AND EXPERIENCED THAT DRIVER AVENUE WAS BACKED UP FROM THE 4-WAY STOP INTERSECTION OF CHESEBRO CANYON, CANWOOD AVENUE AND DRIVER AVENUE, WHICH IS ABOUT 1/3 MILE FROM MY DRIVEWAY. I WAS ABLE TO CROWD MY WAY INTO THE TRAFFIC LINE GOING EAST, BUT EVEN AT THIS TIME OF THE MORNING IT WAS GRIDLOCKED. MY DOG WAS IN SERIOUS CONDITION AND I WAS STUCK, BECAUSE TO GO THE OPPOSITE WAY ON DRIVER AVENUE WOULD ONLY CAUSE FURTHER DELAY DUE TO THE REQUIREMENT TO TRAVEL OVER THE FREEWAY ON HEAVILY CONGESTED KANAN ROAD.

THIS UNBELIEVABLE AMOUNT OF CARS TRAVELING ON DRIVER AVENUE, IN FRONT OF MY HOUSE, CAUSED ME A 10 MINUTE DELAY. AND IT ALSO COST THE LIFE OF MY DOG BECAUSE THE EMERGENCY TREATMENT TO BE RENDERED BY MY VET WAS UNNECESSARILY WITHHELD! MY VET SAID IF I COULD HAVE ARRIVED AT THE ANIMAL HOSPITAL JUST A FEW MINUTES SOONER, HE COULD HAVE SAVED MY DOG'S LIFE. JUST A FEW MINUTES OF TRAFFIC CAUSED THIS DEATH. YOU CAN CONFIRM THIS INCIDENT BY CALLING DR. NEIL BODIE, DVM AT 818-707-7387.

YOU SHOULD BE ADVISED THAT IF THE HESCHEL PROJECT IS BUILT AT THIS LOCATION, TRAFFIC ON DRIVER AVENUE WILL BE MUCH WORSE, UNBELIEVABLE BAD. UPON THE EVENT OF A FIRE OR OTHER EMERGENCIES, THE AREA AROUND THE PROJECT WILL BE GRIDLOCKED WHICH WOULD BE A SERIOUS SAFETY PROBLEM. I KNOW BECAUSE I LIVE HERE AND A DEVELOPMENT LIKE THIS IS A TOTAL MISTAKE TO FORCE UPON MY NEIGHBORS AND AGOURA HILLS.

THANK YOU FOR THINKING WISELY ABOUT MY COMMENTS.

SINCERELY, 

DAVID CARLIN
CC: AGOURA HILLS CITY MANAGER GREG RAMIREZ FAX 818-597-7352

6-8-2005

Regional Planning Commission
320 W. Temple Street
Los Angeles, California 90012

Attention: Kim Szalay

Reference: Conditional Use Permit Case No: 98-062-(3)
Abraham Joshua Heschel Day School West

This letter is in opposition of the proposed Conditional Use Permit for the Heschel School Project.

My wife and I are long time residents that reside at 5402 Chesebro Road, Agoura Hills, Ca. 91301. We have lived at this address for over 24.5 years and have experienced a number of disasters ranging from fires, floods and one major earthquake.

Our big concern is for the safety of our family and also the safety of any children who were to attend the proposed Heschel School.

My main question to the planning commission is "How do we mitigate the Santa Ana winds that blow down Chesebro Canyon at 30-50 miles an hour during a fire storm"? In the early 80's a fire storm blew down the canyon like a freight train. We evacuated our animals and my family, we had less than 15-20 minutes to leave. If we were to have lost our house it would have been a tragedy and would have cost our family monetarily, but the loss of just one child to a disaster waiting to happen, the cost would be priceless. The fire rolled down the canyon, jumped the freeway like it was a sidewalk and burned everything in its way to the Ocean. 750 parents would be trying to get their children out and an additional disaster would be waiting to happen when fire equipment and residents wanting to evaluate would be unable to move.

Herschel's concept is great, their location is terrible, please do not allow this project to move forward.

Thank you for your consideration.

Respectfully

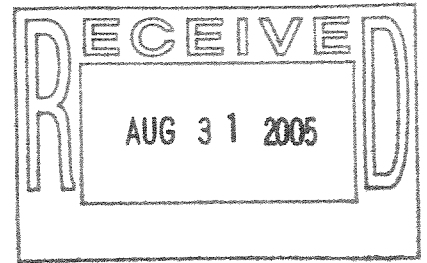


Eric R. Haupt
Captain USN Retired
5402 Chesebro Road
Agoura Hills, Ca 91301

Diane D. Haupt
5402 Chesebro Road
Agoura Hills, Ca 91301

Cc: City of Agoura Hills

August 29, 2005



Daryl Koutnik, Head, Impact Analysis
Los Angeles County Department of Regional Planning
320 West Temple Street, Room 1348
Los Angeles, CA. 90012

Dear Sir:

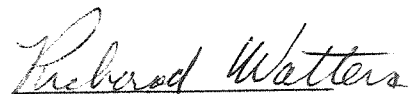
I would like to address several important points regarding the proposed development of the Heschel School adjacent to the "Old Agoura" community in the city of Agoura Hills.

- **Fire Safety.** The School will be located in an historic fire corridor, and the proposed "Shelter in Place" plan is at first glance acceptable, however, upon closer analysis, several serious deficiencies exist.
 1. The initial construction will be of "Temporary Buildings" which will most likely not be "Fire Resistive".
 2. Many parents are not going to leave their children to "Shelter in Place" in the event of a serious fire in the area, regardless of how safe the school is, and you have heard testimonials to this at previous hearings
 3. The size of the adjacent streets make them extremely vulnerable to gridlock
 4. Gridlock in the area could lead to numerous injuries to both civilians, and to Firefighters trying to do their job (I personally know several LA City Firefighters who were trapped in their fire engine and overrun by a brush fire when a panic stricken driver blocked their way. Several were seriously burned and their engine suffered thousands of dollars in damage and was out of service for months).
- **Traffic Congestion.** The proposed "Five Spoke" single lane traffic circle doesn't even pass first inspection. It sounds like a possibility until you look at the limits on size (without obtaining additional property at great expense) and the amount of traffic it would have to handle. I feel confident that the "Experts" will come to this conclusion when a close look is taken.
- **Noise, Dust, and Exhaust.** Many of the homes that are near the proposed construction site (Mine included) will be subjected to noise from the earthmoving equipment (in addition to the already high level from the freeway) plus more dust (although you have

to expect a certain level due to the horses), and last but certainly not least, diesel exhaust pollution from the earthmoving equipment (have you ever noticed the cloud that hangs over a site where grading and earthmoving is in progress). Diesel engines in off-highway equipment (earthmovers) are not subject to the same smog regulations as highway vehicles, and every time they hit the throttle a black cloud of diesel exhaust comes out.

- Local School? The "North Area Plan" allows for "Local Schools", however, very few of the students at Heschel are from Agoura Hills, Most will be traveling some distance to attend. I don't feel that this meets either the "Letter" or "Spirit" of the Plan.
- Progress? I lived in Oak Park (about 2 ½ miles from where I now reside) for 25 years, and saw Kanan Road go from a lightly traveled road to a major thoroughfare with constant heavy traffic and frequent backups. My wife and I moved to Agoura Hills (Old Agoura) less than two years ago, so that we could enjoy life at a slower pace, and have the experience of keeping our horses at home, and we have come to love the rural atmosphere.

There may be a limited number of places to build a school, but there are certainly many fewer places zoned for horses. Please take into consideration that "Old Agoura" is a unique and close knit community and will bear the entire brunt of the Heschel School if it is allowed to proceed.



Richard Watters
28245 Driver Ave.
Agoura Hills, CA. 91301

**LAW OFFICES OF
FRANK P. ANGEL**
3250 OCEAN PARK BLVD. SUITE #300
SANTA MONICA, CALIFORNIA 90405
TEL.: (310) 314-6433 • FAX: (310) 314-6434

June 14, 2005

Daryl Koutnik, Ph.D.
Supervising Regional Planner
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

VIA FAX (213) 626-0434

Re: Heschel West School Revised Draft EIR – County Project No. 98-062
(Conditional Use Permit No. 98-062; SCH No. 1998101060)

Dear Dr. Koutnik:

The following comments on the Heschel School West campus plan (**project**) are submitted on behalf of the Old Agoura Homeowners Association (**OAHA**), a California nonprofit corporation dedicated to protecting the welfare of the residents of over 400 homes in Old Agoura. Among OAHA's primary goals are the preservation of the rural and rustic character, and environmental quality, of the Old Agoura area. OAHA is a major stakeholder in the environmental review and decision making process for the project. The 73-acre project site is located immediately east of Old Agoura.

This letter focuses on the revised draft environmental impact report's (**RDEIR**) treatment of alternatives review under the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (**CEQA**) and the guidelines implementing CEQA (Code of Regs., § 15000 et seq.) (**CEQA Guidelines**). The letter is not the sole basis for OAHA's objections to the RDEIR, but is intended to compliment comment letters submitted on behalf of OAHA by experts and any further oral or written testimony presented to the County of Los Angeles on behalf of OAHA. Additionally, OAHA resubmits (unsigned) copies of its comment letters on the October 2002 draft environmental impact report for the project (**DEIR**) inasmuch as these comments and concerns have not been addressed by the RDEIR.

I. Introduction

Alternatives review must be approached with a view toward advancing CEQA's legislative objective of "maintenance of a quality environment for the people of this state

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now and in the future.” (Pub. Resources Code, § 21000, subd. (a).) It is meant to identify actual ways to mitigate or avoid a project’s potentially significant environmental effects. (*Id.*, §§ 21000, subd. (g), 21001, subd. (g), 21002.1, subd. (a), 21100, subd. (b) (4); CEQA Guidelines, § 15126.6, subd. (b).)

A “rule of reason” governs alternatives review in an EIR. This rule requires that an EIR consider in depth “a range of reasonable alternatives” to the project, or to the location of the project, which: (1) offer “substantial environmental advantages” over the project; and (2) are feasible -- considering economic, environmental and other factors. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 566, (*Goleta II*).)

II. Comments

A. General Comments

As an initial matter, the RDEIR’s description of project objectives is overly specific. The RDEIR’s alternatives should be designed to meet most of the basic project objectives, but project objectives should not be so specific as to render the project the only viable alternative. (CEQA Guidelines, § 15124, subds. (a), (b), (c).) The RDEIR includes a seven-point description of project objectives including providing for a “ ‘state of the art’ . . . Jewish education, cultural, and recreational facility;” providing for an “auditorium, dedicated library, gymnasium, [and] athletic fields;” and siting the facility both “in the demographic center of the existing school population and the Jewish population” and “on a secluded site with controlled access.” (RDEIR, p. 5.0-2.) It is not clear why the project needs all of these things to meet the basic project objective of providing larger facilities for a purportedly growing school. (See RDEIR, p. ES-1.) For example, the RDEIR describes the project as requiring both a gymnasium and an auditorium. (RDEIR, p. 5.0-2.) Why does the project require these facilities in separate buildings? In many schools the gymnasium and the auditorium are combined in the same building.

Next, the RDEIR claims that “alternative site” alternatives were considered and rejected. (RDEIR, p. 5.0-2.) CEQA Guidelines, section 15126.6, subdivision (c) states that:

“The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency’s determination. . . . Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are : (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.”

The RDEIR lists a number of factors used in the alternative site analysis, but neither lists any alternative sites considered and rejected nor explains the reasons any particular alternative sites were rejected. (RDEIR, pp. 5.0-2 – 5.0-3.) The original, 2002 DEIR

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considered an alternative site for the project, but that alternative has been excluded from the RDEIR. Why? The "key question" in examining alternative sites "is whether any of the significant effects of the project would be avoided or lessened by putting the project in another location." (CEQA Guidelines, § 15126.6, subd. (f)(2)(A).) Given the many potentially significant impacts of the proposed project on visual resources, transportation and access, noise, human health, biological resources, geotechnical hazards, fire services and hazards, air quality, and hydrology and water quality, it would appear that alternative sites could easily be found that avoid or lessen one or more of the significant effects of the project. What other alternative sites were considered and why, using the factors set forth in CEQA Guidelines, section 15126.6, subdivision c, were these other sites rejected? The RDEIR limits its analysis of alternative sites to the "vicinity" of the existing school. (RDEIR, p. 5.0-3.) The reason for this geographically limited survey of alternative sites is purportedly to enable the establishment of the school within the "demographic center of the existing school population and the Jewish population" (RDEIR, p. 2.0-2) but the RDEIR provides no evidence showing where either the school population or the Jewish population is centered. According to the site vicinity maps provided in the RDEIR the project site appears, in fact, to exist on the *outskirts* of any existing population centers. (See RDEIR, figure 2.01.) Why, when the RDEIR claims that the school is intended to serve the growing Jewish population of the Conejo Valley, does the RDEIR not look at sites closer to the demographic center of the Conejo Valley? For example, plans to construct a Seventh Day Adventist school on a parcel in the City of Thousand Oaks have recently been abandoned. The Seventh Day Adventist site is already zoned in the general and specific plans for a school. Why could the project not be constructed there, within the existing population centers of the Conejo Valley? Are there other feasible sites within the Conejo Valley that are not within the "vicinity" of the existing school, but which may actually be closer to population centers? Why has the RDEIR not looked into the feasibility of acquiring the Thousand Oaks site or other Conejo Valley sites for the project?

The RDEIR's alternatives analysis also makes general assumptions regarding project impacts that are questionable. First, in considering the effects of the proposed project and the alternatives on human health, the RDEIR concludes that neither the proposed project nor alternatives 2 (RDEIR, p. 5.0-6), 3 (*id.* at 5.0-12.), 4 (*id.* at 5.0-16), or 5 (*id.* at 5.0-24) will have a significant impact on human health, despite the presence nearby of the Calabasas landfill -- a landfill known to contain, and leak, both hazardous and radioactive wastes. (See *id.*, section 4.4.) While the RDEIR discloses studies of the hazardous and radioactive wastes at nearby monitoring wells, the RDEIR provides no evidence of any testing for these wastes at the project site itself. How can the RDEIR make a claim that neither the project nor any of the alternatives will have an impact on human health without a detailed study of hazardous and radioactive wastes at the project site? Without such a detailed study, the conclusion that the project and the alternatives will not have significant effects on human health is premature at best.

Second, the RDEIR makes questionable claims regarding the impacts of the proposed project and the alternatives on hydrology and water quality. The RDEIR asserts

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that the proposed project is superior to alternative 2 in the area of hydrology and water quality because the proposed project, the RDEIR claims, will have less "runoff" than alternative 2. (RDEIR, pp. 5.0-8 – 5.0-9.) This conclusion is based on a number of assumptions: (1) that "runoff" is the amount of water flowing from the site plus the volume of debris in the water; (2) that more impermeable surfaces will result in less "runoff" from the project site because there will be less debris in the "runoff;" and (3) that "runoff" should be measured based on a "50-year Capital Storm event." (*Id.*) Based on these assumptions, the RDEIR concludes that the proposed project, with greater impermeable surface area will have less "runoff" and therefore less hydrology/water quality impacts than alternative 2 (*id.*), alternative 4 (*id.* at 5.0-18 – 5.0-19), and the project site in its natural state. (See *id.* at 5.0-14.) Isn't this analysis backward? Doesn't an increase in impermeable surfaces increase the volume of runoff because the ground is not able to absorb as much water? Then, in turn, doesn't the increase in the volume of the water increase the speed of the runoff which increases erosion? Shouldn't the RDEIR use, rather than a 50-year storm which happens, by definition, only once every 50 years, a yearly average runoff to compare the proposed project to the alternatives? What are the comparative water quality and hydrology impacts of the proposed project and the alternatives using average yearly values of runoff from the site? Also, why does the RDEIR use the volume of debris in calculating runoff? What evidence is there to support that the natural movement of sediment across the site in its undeveloped state during normal rainfall events is environmentally harmful?

Furthermore, the RDEIR does not distinguish between pollutants in runoff associated with school uses and those associated with the residential uses of alternative 2. (See *id.* at 5.0-8.) Won't more cars at the school result in more automobile-related pollutants than the far fewer cars associated with 13 homes? Won't the proposed project also have greater fertilizer pollutants from the athletic field than those associated with landscaping at 13 homes? The RDEIR should provide a comparison of the types and quantities of pollutants associated with each type of use for the proposed project.

B. Specific Comments

Alternative 2 – Subdivision Alternative

Alternative 2 purports to offer a subdivision alternative. Alternative 2, however, is infeasible because the subdivision depicted in alternative 2 does not comply with the North Area Plan (NAP) and would not be approved in its current form. Therefore, alternative 2 does not meet the rule of reason. The 13 homes described in alternative 2 are spread out over the entire 73-acre parcel. The NAP requires that development be clustered, especially for parcels, such as the project site, that are zoned as "Mountain Lands." (NAP, policy VI-18.) Using the NAP's required five-acre parcels for thirteen homes, alternative 2 should only need a total of 65 acres, leaving eight acres of buffer with which to design a subdivision alternative that would reduce the grading impacts, air quality impacts, and biological resource impacts associated with the current design of alternative 2. Alternative 2 additionally conflicts with the NAP if the proposed homes

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are indeed, as the RDEIR claims, larger in size than the existing residences bordering the site. (RDEIR, p. 5.0-4.) NAP policies require that "new development use architectural and siting features which are compatible with adjacent existing and planned developments" (NAP, policy VI-15); that "new developments provide a transition to surrounding development" (*id.*, policy VI-16); and that "new developments respect viewsheds and view corridors from public parks and trails, and scenic highways to the greatest extent possible" (*id.*, policy VI-17). (See also *id.*, policies VI-13, VI-14, & VI-21.) It is also unclear why access to the homes in alternative 2 requires a road as depicted in RDEIR figure 5.0-1. Access can be provided off of Chescbro Road thereby reducing the impacts associated with the construction of an access road.

The RDEIR further claims that the geology and geotechnical hazards of alternative 2 and the proposed project are the same, but offers no analysis or evidentiary support for this claim. (RDEIR, p. 5.0-7.) Are the geotechnical hazards for 13 homes spread out over 73 (or 65) acres the same as for nine buildings concentrated on 20.7 acres?

Similarly, the RDEIR concludes that the area of land disturbed during grading would be greater for alternative 2 than for the proposed project, but offers no data or analysis for this conclusion. The RDEIR should provide a comparative analysis of the grading impacts of alternative 2 and the proposed project.

The RDEIR should revise alternative 2 to cluster development, reduce the impacts of the access road, and follow other NAP requirements for the residential development, all of which would reduce the environmental impacts of alternative 2. The RDEIR should then provide an accurate analysis of alternative 2 based on the actual impacts of a feasible alternative 2 including providing a conclusion paragraph for alternative 2 as the RDEIR has done for the other alternatives. The current RDEIR does not provide a conclusion for alternative 2. (See RDEIR, p. 5.0-9.)

Alternative 3 – Modified Site Plan.

The RDEIR indicates that the maximum student population of alternative 3 is 750 students and that in no case will special event attendance exceed student population. Other information in the RDEIR indicates that special event attendance for the proposed project will reach 1500. (See RDEIR, p. 2.0-10.) Since alternative 3 does not change the capacity of the proposed project, please clarify the discrepancy between these numbers.

The RDEIR concludes that the proposed project and alternative 3 will have similar construction related impacts to air quality. Alternative 3, however, is designed to require less grading than the proposed project. Wouldn't less grading mean reduced emissions both from fugitive dust as well from reduced operation of grading equipment and fewer truck trips required to haul away graded material? Isn't alternative 3, therefore, superior to the proposed project in regards to air quality?

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Alternative 4 – Reduced Development Intensity

Alternative 4 offers a reduced development alternative designed to accommodate 472 students and staff. According to the RDEIR, the school's October 2004 enrollment was 187 students, supported by 40 staff. (RDEIR, p. 1.0-1.) The proposed project is purportedly required to accommodate future growth of the school which the RDEIR claims is projected at a rate of 50 students annually to a maximum of 750 students and 97 staff. These figures, however, are totally unsupported in the RDEIR. Where are these "enrollment projections" and what are the projections based on? The original DEIR for the project, released in 2002, claimed that, as of July 18, 2000, "[t]he school's enrollment has grown from 14 students and 3 staff to present enrollment of 210 students supported by 6 staff." (2002 DEIR, p. ES-1.) The 2002 DEIR went on to claim that "enrollment projections anticipate a total of 310 students and 50 staff by the 2003-2004 school year." (*Id.*) Are the enrollment predictions used in the 2002 DEIR the same as used in the RDEIR? If so, these predictions have proven to be false -- the student population has actually been *reduced* by 23 students from 2000 – 2004, rather than having grown by the projected 200 students.

A better understanding of actual future enrollment at the school is critical. The RDEIR claims that "[a]t present growth rate, the school will outgrow its current space over the next few years." (RDEIR, p. ES-1.) The whole point of the proposed project is purportedly to "meet current and projected future demand for space." (*Id.*) The fact that actual enrollment numbers have decreased over the last few years, however, undermines the reasoning for constructing the project at all. The decrease in enrollment also undermines the RDEIR's conclusion that alternative 4 is not large enough to meet key project objectives. (RDEIR, p. 5.0-19.)¹⁷ The RDEIR provides no evidence of what size facilities would be necessary to meet most of the project objectives, nor why, assuming the unsupported enrollment predictions are correct, a nearly six year increase in enrollment is not enough. Considering that actual enrollment has decreased over the last four years, the RDEIR's conclusion that more than doubling the current population is insufficient to meet project objectives is not very convincing. The RDEIR should provide the figures and methods that have been used to calculate the projected future enrollment at the school. Without accurate and verifiable enrollment predictions how can RDEIR, or, for that matter, the public and the County of Los Angeles make informed conclusions concerning the appropriate size, if any, of the proposed project?

The RDEIR makes another questionable assertion within its analysis of alternative 4 by claiming that both alternative 4 and the proposed project will have similar impacts on biological resources. (RDEIR, p. 5.0-17.) To support this claim, the RDEIR notes that both the proposed project and alternative 4 will have the same access road. The RDEIR also discloses, however, that alternative 4 will have a reduced development

¹⁷ By not meeting most of the projects basic objectives, alternative 4 does not meet the "rule of reason" for the selection of alternatives set forth in CEQA Guidelines, section 15126.6, subdivision (c) and *Goleta II*, and should not be counted among the "range of reasonable" alternatives required to be selected for analysis by CEQA.

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footprint when compared with the proposed project. (*Id.*) Is the RDEIR saying that there will be no biological impacts from the development footprint? If the development footprint does have an impact on biological resources, it would seem that alternative 4's smaller development footprint would have less of an impact on biological resources and, therefore, would be environmentally superior to the proposed project. Please clarify.

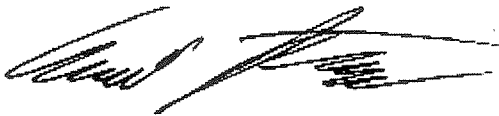
Alternative 5 – Alternative Means of Access

Alternative 5 examines two alternative means of access to the project site – the Chesebro Road frontage access and the Palo Comado Canyon Road access. Of these two, the Chesebro road access provides for no reduction in any significant environmental impact of the project and is, therefore, not actually an alternative under the rule of reason. (CEQA Guidelines, § 15126.6, subd. (a); *Goleta II*, 52 Cal.3d at 566.) The RDEIR does find that the Palo Comado Canyon Road access would be environmentally superior to the proposed project with respect to noise impacts (RDEIR, p. 5.0-24) but ultimately concludes that neither alternative access point would avoid or lessen any of the significant impacts associated with the proposed project. Again, CEQA requires that the lead agency examine a reasonable range of alternatives that are both feasible and that would avoid or lessen one or more of the significant impacts associated with the proposed project. (CEQA Guidelines, § 15126.6, subd. (a); *Goleta II*, 52 Cal.3d at 566.) Because alternative 5 has failed to meet this standard it should not be considered as within the "range" of alternatives CEQA requires the lead agency to select. (CEQA Guidelines, § 15126.6, subd. (c).)

OAHA appreciates the opportunity to offer its comments, and looks forward to participating in the upcoming public hearings.

Very truly yours,

LAW OFFICES OF FRANK P. ANGEL



Edward Grutzmacher

Enclosures (2)